

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jawed Asrar and Jean R. Pierre

Serial No.: 09/845,578

Art Unit:

Filed: April 30, 2001

Examiner:

For: *PHA COMPOSITIONS AND METHODS FOR THEIR USE IN THE
PRODUCTION OF PHA FILMS*

Commissioner of Patents and Trademarks
Washington, D.C. 20231

**POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST
AND REVOCATION OF PRIOR POWERS**

Sir,

As owner of the entire interest in the above-identified patent application, as evidenced by the attached Statement Under 37 C.F.R. § 3.73(b), all powers of attorney previously given are hereby revoked and the following attorneys and agents are hereby appointed to prosecute and transact all business in the Patent and Trademark Office connected therewith:

Patrea L. Pabst
Zhaoyang Li
Rivka D. Monheit
Todd S. Hofmeister

Registration No. 31,284
Registration No. 46,872
Registration No. 48,731
Registration No. P-53,029

OFFICIAL

U.S.S.N. 09/645,578

Filed: April 30, 2001

Power of Attorney by Assignment of Entire Interest and Revocation of Prior Powers

Please send all correspondence relating to the above-identified patent application to:

Customer No. 23579
Patrea L. Pabst
HOLLAND & KNIGHT LLP
Suite 2000, One Atlantic Center
1201 West Peachtree Street, N.E.
Atlanta, Georgia 30309-3400

(404) 817-8473 (Telephone)
(404) 817-8588 (Fax)

The undersigned signatory (whose title is supplied below) is empowered to act on behalf of the assignee identified below, and has reviewed all the documents in the chain of title of the above-identified patent application and, to the best of the undersigned's knowledge and belief, title is in the assignee.

METABOLIX, INC.

By: Oliver P. Peoples
Printed Name: OLIVER P. PEOPLES
Title: VP R&D
Date: JANUARY 16, 2003

ATL-1 #680998 v1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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METABOLIX, INC.

By: OLIVER P. KEOPLES
Printed Name: OLIVER P. KEOPLES
Title: VP R&D
Date: JANUARY 16, 2003

ATL1 #560398 v1

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled "PHA COMPOSITIONS AND METHODS FOR THEIR USE IN THE PRODUCTION OF PHA FILMS," the Specification of which was filed on July 24, 1998 as Application Serial No. 09/122,147.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims.

We acknowledge the duty to disclose to the Patent and Trademark Office all information known to us to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

We hereby claim priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent, United States provisional application(s), or inventor's certificate listed below and have also identified below any foreign application for patent, United States provisional application, or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIORITY APPLICATION(S)			Priority Claimed
60/053,720	U.S.A.	July 25, 1997	Yes
(Number)	(Country)	(Date Filed)	Yes/No

We hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, we acknowledge the duty to disclose all information known to us to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56, which become available between the filing date of the prior application and the national or PCT international filing date of this application: NONE.

We hereby direct that all correspondence and telephone calls be addressed to:

Vikki Meriwether, Paralegal
ARNOLD, WHITE & DURKEE
P. O. Box 4433
Houston, Texas 77210-4433
(713) 787-1400

WE HEREBY DECLARE THAT ALL STATEMENTS MADE OF OUR OWN KNOWLEDGE ARE TRUE AND THAT ALL STATEMENTS MADE ON INFORMATION AND BELIEF ARE BELIEVED TO BE TRUE; AND FURTHER THAT THESE

STATEMENTS WERE MADE WITH THE KNOWLEDGE THAT WILLFUL FALSE STATEMENTS AND THE LIKE SO MADE ARE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH, UNDER SECTION 1001 OF TITLE 18 OF THE UNITED STATES CODE AND THAT SUCH WILLFUL FALSE STATEMENTS MAY JEOPARDIZE THE VALIDITY OF THE APPLICATION OR ANY PATENT ISSUED THEREON.

Inventor's Full Name:	JAWED	ASRAR
Inventor's Signature:	<i>[Signature]</i>	
Country of Citizenship:	United States of America	Date: October 5, 1998
Residence Address: (street, number, city, state, and/or country)	14949 Royal Brook Drive Chesterfield, Missouri 63017 United States of America	
Post Office Address: (if different from above)		

Inventor's Full Name:	JEAN	R.	PIERRE
Inventor's Signature:	<i>[Signature]</i>		
Country of Citizenship:	Belgium	Date: October 12, 1998	
Residence Address: (street, number, city, state, and/or country)	rue des Trois Bonniers 13 B-5081 ST-DENIS BELGIUM		
Post Office Address: (if different from above)			

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Jawed Asrar and Jean R. Pierre

Application No./Patent No.: 09/845,578 Filed/Issue Date: April 3, 2001

Entitled: PHA COMPOSITIONS AND METHODS FOR THEIR USE IN THE PRODUCTION OF PHA FILMS

Metabolix Inc., a corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR 09/845,578 is a CON of 09/122,147 filed on 07/24/98

B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Jawed Asrar and Jean R. Pier To: Monsanto Company *
The document was recorded in the United States Patent and Trademark Office at Reel 9615, Frame 0048, or for which a copy thereof is attached.
2. From: Monsanto Company To: Metabolix, Inc.
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.
(NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

JANUARY 16 2003
Date

OLIVER P. PEOPLES

Oliver P. Peoples
Typed or printed name

VP R&D
Signature

VP R&D
Title

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

077892/00055

ASSIGNMENT

FOR GOOD AND VALUABLE CONSIDERATION, the receipt, sufficiency and adequacy of which are hereby acknowledged, the undersigned, do hereby:

SELL, ASSIGN AND TRANSFER to **Monsanto Company** (the "Assignee"), having a place of business at 800 N. Lindbergh Blvd., St. Louis, Missouri 63167, the entire right, title and interest for the United States and all foreign countries in and to any and all improvements which are disclosed in:

Provisional United States patent application Serial No. 60/053,720, filed July 25, 1997, entitled "PHA COMPOSITIONS AND METHODS FOR THEIR USE IN THE PRODUCTION OF PHA FILMS;"

United States patent application Serial No. 09/122,147, filed July 24, 1998, entitled "PHA COMPOSITIONS AND METHODS FOR THEIR USE IN THE PRODUCTION OF PHA FILMS;"

such applications and all divisional, continuing, substitute, renewal, reissue and all other applications for patent which have been or shall be filed in the United States and all foreign countries on any of such improvements; all original and reissued patents which have been or shall be issued in the United States and all foreign countries on such improvements; and specifically including the right to file foreign applications under the provisions of any convention or treaty and claim priority based on such application in the United States;

AUTHORIZE AND REQUEST the issuing authority to issue any and all United States and foreign patents granted on such improvements to the Assignee;

WARRANT AND COVENANT that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been or will be made to others by the undersigned, and that the full right to convey the same as herein expressed is possessed by the undersigned;

COVENANT, when requested and at the expense of the Assignee, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all such improvements; execute all rightful oaths, declarations, assignments, powers of attorney and other papers; communicate to the Assignee all facts known to the undersigned relating to such improvements and the history thereof; and generally do everything possible which the Assignee shall consider desirable for vesting title to such improvements in the Assignee, and for securing, maintaining and enforcing proper patent protection for such improvements;

TO BE BINDING on the heirs, assigns, representatives and successors of the undersigned and extend to the successors, assigns and nominees of the Assignee.

Signature: Jawed ASRAR

Name: **Jawed ASRAR**

Date: October 5, 1998

State of Missouri)
) ss.
County of St. Louis)

BEFORE ME, the undersigned authority, on this 5th day of October, 1998, personally appeared **Jawed ASRAR**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

Marcum Page
Notary or Consular Officer

[SEAL]

Signature: Jean R. PIERRE

Name: **Jean R. PIERRE**

Date: October 12th, 1998

_____)
) ss.
_____)

BEFORE ME, the undersigned authority, on this 12 day of October, 1998, personally appeared **Jean R. PIERRE**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

Notary or Consular Officer

[SEAL]

